

REMARKS

Applicant respectfully requests favorable reconsideration of this application, as amended.

Applicant would like to thank the Examiner for the courtesies extended to Applicant's Representatives in a personal interview on June 26, 2007. The substance of the interview is incorporated in these remarks.

Claims 1 and 4 have been revised to address the rejections under 35 U.S.C. § 112.

Claims 1-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over JP2588338 in view of JP2002-166835.

Without acceding to the rejection, independent Claims 1 and 4 have been amended to set forth certain distinctive features of Applicant's invention more precisely. At least as presently amended, Claims 1 and 4 distinguish patentably from the applied references.

As amended, Claims 1 and 4 recite, inter alia, that a respective surface portion of each of the pair of movable pieces in contact with the inner column has a length, in an axial direction of the steering column, that is greater than or equal to a cross dimension of the bore in a plane containing an axis of the screw rod and parallel to an axis of the steering column. See, e.g., Figs. 3A and 3B.

It is apparent that the applied references do not teach or suggest the features newly added to Claims 1 and 4. The primary reference, JP '338, teaches the use of a pair of movable pieces 25 and 27 which receive a fastening bolt and slide within a circular bore 24 to clamp and release a steering column 22. As a result of its circular geometry, the structure of JP '338 cannot satisfy the features of amended Claims 1 and 4. Nor would the secondary reference, JP '835, which does not even use a bore, have suggested modifying the primary reference to include the aforementioned features of Applicant's invention.

Accordingly, at least in view of the distinctions discussed above, Claims 1 and 4 clearly define over the applied references.

Moreover, Applicant respectfully maintains the position, as discussed in the Amendment dated May 15, 2006, that given the clear disparity in the design and operation of the JP '338 and JP '835 references, one of ordinary skill in the art would not have sought to modify JP '338 based upon the teachings of JP '835 in the first place. It is noted that the asserted motivation for the proposed combination of JP '835 and JP '338 is to prevent "undesirable rotation of the sliding member" and to ensure "proper alignment of the sliding member . . . so as to have

the proper contact area alignment with the inner column." Office Action, page 4. However, there is no basis whatsoever for the asserted motivation in the cited references or elsewhere in the prior art. Indeed, it is apparent that the asserted motivation is drawn from Applicant's own disclosure (see, e.g., the discussion at pages 2 and 3), and is therefore based on improper hindsight in view of Applicant's present teachings.

This application is believed to be clearly in condition for allowance for the reasons discussed above.

A Notice of Allowance is therefore respectfully solicited.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 (XA-9971) any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing

of this paper and has not been separately requested, such extension is hereby requested.

Respectfully submitted,

By: /Mitchell W. Shapiro/
Mitchell W. Shapiro
Reg. No. 31,568

Miles & Stockbridge, P.C.
1751 Pinnacle Drive
Suite 500
McLean, Virginia 22102-3833
(703) 903-9000

Michael A. Minter
Reg. No. 58,797

August 8, 2007